

Public Notice

IN THE MATTER OF THE APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING AT-GRADE CROSSING OF THE COPPER BASIN RAILROAD AT STATE ROUTE 177 AT APPROXIMATELY MILE POST 152.2, NEAR KELVIN, PINAL COUNTY, ARIZONA, USDOT NO. 874-879B. (DOCKET NO. RR-02636A-16-0286) Summary On August 19, 2016, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for ADOT to upgrade an existing at-grade crossing of the Copper Basin Railroad ("Railroad") on State Route 177 at approximately mile post 152.2, near Kelvin ("Kelvin"), Pinal County, Arizona, at USDOT No. 874-879B. How You Can View or Obtain a Copy of the Application Copies of the Application are available from ADOT, Contact Sayeed Hani 602-712-7555 or Vicki Bever 602-712-8161, at the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona, during regular business hours; and on the Commission website (www.azcc.gov) using the e-Docket function. Arizona Corporation Commission Public Hearing Information The Commission will hold a hearing on this matter beginning October 19, 2016, at 10:00 a.m., at the Commission's offices, Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. RR-02636A-16-0286 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission's website (www.azcc.gov) using the "Submit a Public Comment for a Utility" function. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000. If you do not intervene in this proceeding, you will receive no further notice of the proceedings in this docket. However, all documents filed in this docket are available online (usually within 24 hours after docketing) at the Commission's website (www.azcc.gov) using the e-Docket function. You may choose to subscribe to an RSS feed for this case using the e-Docket function. About Intervention The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene. An interested person may be granted intervention if the outcome of the case will directly and substantially impact the person, and the person's intervention will not unduly broaden the issues in the case. Intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other parties' witnesses. Intervention is not required if you want to appear at the hearing and provide public comment on the Application, or if you want to file written comments in the record of the case. To request intervention, you must file an original and 13 hard copies of a written request to intervene with Docket Control, 1200 West Washington, Phoenix, AZ 85007, no later than October 7, 2016. You also must serve a copy of the request to intervene on each party of record on the same day that you file the request to intervene with the Commission. Information about what intervention means, including an explanation of the rights and responsibilities of an intervenor, is available on the Commission's website (www.azcc.gov) using the "Intervention in Utility Cases" link. The link also includes sample intervention requests. If you choose to request intervention, your request must contain the following: 1. Your name, address, and telephone number, and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself; 2. A reference to Docket No. RR-02636A-16-0286; 3. A short statement explaining: a. Your interest in the proceeding (e.g., a customer of the Railroad, a neighboring property owner, a crossing user, etc), b. How you will be directly and substantially affected by the outcome of the case, and c. Why your intervention will not unduly broaden the issues in the case; 4. A statement certifying that you have served a copy of the request to intervene on the Company or its attorney and all other parties of record in the case; and if you are not represented by an attorney who is an active member of the Arizona State Bar, and you are not representing yourself as an individual, sufficient information and any appropriate documentation to demonstrate compliance with Arizona Supreme Court Rules 31, 38, 39, and 42, as applicable. The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before October 7, 2016. ADA/Equal Access Information The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, E-mail SABernal@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

CBN Legal 9/14/16

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Coun

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Mary Louise Eck being first duly sworn deposes and says that she is a representative of the *Copper Basin News*, a legal newspaper published weekly at Kearny, in the County of Pinal, State of Arizona that the legal entitled, APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING AT-GRADE CROSSING OF THE COPPER BASIN RAILROAD AT STATE ROUTE 177 AT APPROXIMATELY MILE POST 152.2, NEAR KELVIN, PINAL COUNTY, ARIZONA, USDOT NO. 874-879B. (DOCKET NO. RR-02636A-16-0286), a printed copy of which is hereto attached, has been or will be published in all the regular weekly editions of said newspaper (and not a supplement thereof) for ONE week, the date of publication being as follows, to-wit:

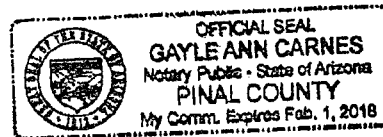
9/14/16

Mary Louise Eck
Representative

Subscribed and sworn to before me this

14th DAY OF September, 2016

Gayle Ann Carnes
Notary Public



Arizona Corporation Commission

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